



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Philip D. Murphy
Governor
Sheila Y. Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
DECEMBER 5, 2018**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

December 5, 2018

A regular meeting of the Civil Service Commission was held on Wednesday, December 5, 2018 at 10:00 a.m., in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 17, 2017, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Ramon Gross (consolidated)
Ancora Psychiatric Hospital
Department of Health
Removal and resignation not in good standing

Bryan Jannell
Mercer County
Department of the Executive
Release at the end of the working test period

Brenda Meeks
City of Newark
Police Department
Removal

Enmanuel Pena
Borough of Elmwood Park
Police Department
Removal

Aaliyah Thomas
Ancora Psychiatric Hospital
Department of Health
Suspension

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 DWAYNE AUSTIN

Dwayne Austin, Public Safety Telecommunicator, Hudson County, Sheriff's Department, 30 working day suspension on charges of inability to perform duties, chronic or excessive absenteeism, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the 30 working day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 GEORGE BAILEY

George Bailey, County Correction Officer, Cumberland County, Department of Corrections, removal effective April 17, 2018 on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-4 JOHN RIVERA

John Rivera, Laborer 1, Township of Belleville, Department of Public Works, removal effective February 21, 2014 on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

VOTE:

Deirdrè L. Webster Cobb	(No)
Dolores Gorczyca	(Yes)
Daniel W. O'Mullan	(Yes)

SECTION B – MISCELLANEOUS MATTERS**B-1 ANTHONY DEL-VALLE – CSC DOCKET NO. 2018-3503**

Anthony Del-Valle appeals the removal of his name from the Chief Operating Engineer (S0698T), Kean University eligible list due to his failure to possess an Operating Engineer's License (gold seal) issued by the New Jersey Department of Labor and Workforce Development.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-2 LATESHA LEWIN – CSC DOCKET NO. 2018-3435

Latesha Lewin appeals her removal from the eligible list for Police Officer (S9999U), Newark, on the basis of falsification of her pre-employment application.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-3 KEVIN MAGUIRE – CSC DOCKET NO. 2019-595

Kevin Maguire, represented by Michael Prigoff, Esq., appeals the removal of his name from the Fire Fighter (M1537T), Harrison eligible list due to his failure to appear for the Physical Performance Test.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-4 LEWIS CAPLE, III – CSC DOCKET NO. 2018-3262

Lewis Caple, III appeals the decision of the Division of Agency Services that the proper classification of his position with Rowan University is Professional Services Specialist 3, Administrative Services. The appellant seeks a classification of Professional Services Specialist 2, Administrative Services.

ACTION: The Civil Service Commission directed that this appeal be denied, and the position be classified as Technical Assistant 3 or the appellant be assigned duties consistent with his permanent title of Professional Services Specialist 3, Administrative Services.

B-5 BARBARA FODER – CSC DOCKET NO. 2019-730

Barbara Foder appeals the decision of the Division of Agency Services that the proper classification of her position with Stockton University is Professional Services Specialist 3, Administrative Services. The appellant seeks a classification of Professional Services Specialist 2, Administrative Services.

ACTION: The Civil Service Commission directed that this appeal be denied, and the position be classified as Senior Fiscal Analyst or the appellant be assigned duties consistent with her permanent title of Professional Services Specialist 3, Administrative Services.

B-6 FERNANDO CASTILLO – CSC DOCKET NO. 2019-554

Fernando Castillo appeals the determination of the Division of Agency Services which found that he did not meet the experience requirement for the open-competitive examination for Investigator Police Department (M0086W), Vineland.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-7 KARA IRVINE – CSC DOCKET NO. 2019-1027

Kara Irvine appeals the decision of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Secretarial Assistant (PM0440W), Vineland.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-8 IVIS VEGA – CSC DOCKET NO. 2019-1128

Ivis Vega appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the open-competitive examination for the dual title Administrative Secretary/Office Services Manager (C0502V), Hudson County.

ACTION: The Civil Service Commission directed that this appeal be denied and the classification of the appellant's position be referred to the Division of Agency Services.

B-9 M.J. – CSC DOCKET NO. 2018-2825

M.J., a Correctional Police Sergeant with the Department of Corrections (DOC), appeals the determination of the Director, Equal Employment Division, DOC, which found that the appellant failed to support a finding that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-10 PARTRICK BARTOLE – CSC DOCKET NO. 2019-1296

The Division of Agency Services, on behalf of New Jersey City University, requests a retroactive regular appointment to the title of Associate Supervisor 2, Facilities, effective October 13, 2008, for Patrick Bartole.

ACTION: The Civil Service Commission directed that this request be granted.

**B-11 PROJECT SPECIALIST & PROJECT SUPPORT SPECIALIST,
DEPARTMENT OF HEALTH – CSC DOCKET NO. 2019-977**

The Division of Agency Services, on behalf of the Department of Health, requests that various titles be placed in the non-competitive division of the career service on an interim basis.

ACTION: The Civil Service Commission directed that these requests be granted.

B-12 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of November 21, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on November 21, 2018.

B-13 AHMAD JONES – CSC DOCKET NO. 2018-2889

Ahmad Jones appeals his removal from the Fire Fighter (M1540T), Irvington Township eligible list on the basis of a falsified application.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-14 STEPHEN SERIEUX – CSC DOCKET NO. 2019-55

Stephen Serieux appeals the removal of his name from the eligible list for Correctional Police Officer (S9988T), Department of Corrections, on the basis that he falsified his preemployment application.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-15 W.J. – CSC DOCKET NO. 2017-531

W.J., represented by Daniel J. Zirrith, Esq., appeals his rejection as a Correctional Police Officer candidate by the Department of Corrections and its request to remove his name from the eligible list for Correctional Police Officer (S9988T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-16 RAYMOND COLEMAN, III – CSC DOCKET NO. 2018-3142

Raymond Coleman, III, represented by Stuart J. Alterman, Esq., appeals the determination of the Division of Agency Services, which found that he did not meet the permanent service requirements for the promotional examination for Correctional Police Sergeant (PS6184I), Department of Corrections.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-17 DANIEL BUTCHKO – CSC DOCKET NO. 2019-1283

The College of New Jersey, on behalf of Daniel Butchko, requests that he be permitted to participate in the intergovernmental transfer program and to complete his working test period as a Police Officer with Mount Laurel.

ACTION: The Civil Service Commission directed that this request be granted.

B-18 BERGEN COUNTY, NINE VARIOUS LISTS – CSC DOCKET NOS. 2019-697, *ET AL.*

Bergen County's failure to dispose of the certifications for nine lists, Bergen County, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement. These lists include: Clerk 3 (Special/C0618T) (OL171076); Clerk 2 (Special/C0419S/C0856T) (OL160634); Clerk 2 Bilingual Spanish/English (C0712V) (OL180083); Counselor Juvenile Family Crisis Intervention (C0858S) (OL170324); Assistant Program Analyst (C0867R/C0316T) (OL170241); Social Service Technician (C0850U) (OL171189); Recovery Assistant Detoxification Unit (C0619S/C0601U) (OL170041); Investigator Consumer Protection (C0683T) (OL170041); and Fiscal Analyst (C0641T/C0920U) (OL170498).

ACTION: The Civil Service Commission orders the appointing authority to immediately dispose of the outstanding certifications, separate any employee serving provisionally pending open competitive examination procedures in the subject titles who does not receive an appointment from an outstanding certification, and assesses costs incurred in the compliance process against the appointing authority in the amount of \$1,000 per violation.

B-19 ESSEX COUNTY, EIGHT VARIOUS LISTS - CSC DOCKET NOS. 2019-735, *ET AL.*

Essex County's failure to dispose of the certifications for eight lists, Essex County, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement. These lists include: Admissions and Records Officer (C0448V) (OL171171); Keyboarding Clerk 4 (PC0520U) (PL161118); Administrative Analyst (C0259T) (OL160433); Office Services Manager (C0056U) (OL160819); Rent and Housing Coordinator Welfare (C0080T) (OL151056); Program Coordinator Special Events (C0155T) (OL151008); General Supervisor Public Works (C0498V) (OL171221); and Probate Assistant (C0934U) (OL170598).

ACTION: The Civil Service Commission orders the appointing authority to immediately dispose of the outstanding certifications, separate any employee serving provisionally pending open competitive examination procedures in the subject titles who does not receive an appointment from an outstanding certification, and assesses costs incurred in the compliance process against the appointing authority in the amount of \$1,000 per violation.

B-20 JAIME VELEZ – CSC DOCKET NO. 2018-2778

The appeal of Jaime Velez, a Police Sergeant with Irvington Township, of his removal effective March 20, 2018, on charges, was heard by Administrative Law Judge Julio C. Morejon (ALJ), who rendered his initial decision on October 5, 2018. At its meeting on November 21, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to modify the removal to a three working day suspension. Rather, the Commission modified the penalty to a 30 working day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-21 CRISTINA ALLEN, *ET AL.* – CSC DOCKET NOS. 2019-908 *ET AL.*

Cristina Allen, Jose Borrero, Isaac Carrero, Edward Drzewiecki, Jonathan Huang, Stephen Indoe, Antonio Megaro, Jason Morozowski, Harmon Murphy Jr., William Searless, Alyce Serlick, Eddie Solis, Craig Sweetman, Brigham Tallmadge, Raquel Tirado and Christopher Whitlock, Senior Correctional Police Officers or Correctional Police Sergeants with the Department of Corrections, request reconsideration of the decision rendered on August 1, 2018, which dismissed their appeals of the determination of their salaries upon appointment to the title of Senior Correction Officer as untimely.

ACTION: The Civil Service Commission directed that these requests be denied.

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, December 19, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission